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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,702	04/04/2001	Benham Azvine	36-1420	5920

7590

04/06/2005

Nixon & Vanderhye  
1100 North Glebe Road 8th Floor  
Arlington, VA 22201-4714

EXAMINER
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GRAYSAY, TAMARA L

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/806,702

**Applicant(s)**

AZVINE ET AL.

**Examiner**

Tamara L. Graysay

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1 page</u> . | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Preliminary Amendment***

1. The preliminary amendment filed 04 Apr 2001 has been entered.

***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Oath/Declaration***

3. The oath or declaration is defective. A supplemental oath or declaration in compliance with 37 CFR 1.67(a), or a supplemental application data sheet in compliance with 37 CFR 1.76(c), identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02. The oath or declaration is defective because:

- a. It does not properly identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application number, country, day, month and year of its filing. Namely, European Patent Office 98308991.3 filed 03 Nov 1998 and United Kingdom 9824033.6 filed 03 Nov 1998.
- b. It does not properly indicate the identity of inventors pursuant to MPEP § 201.13, II, C.

***Information Disclosure Statement***

4. The listing of references in the specification (P.8, 9, 10, 21, 24, 33, 43, 64) is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

***Drawings***

5. The drawings are objected to because of the following:
- a. They fail to comply with 37 CFR 1.437 and PCT Rule 11.13(m) because reference character "2317" has been used to designate both "User planned activities related to caller" within the Bayes net arrangement 2201 (Fig.22) and "Important" status (Fig. 23B).
  - b. They fail to comply with 37 CFR 1.437 and PCT Rule 11.13(l) because they do not include the following reference character(s) mentioned in the description: "100" (P.7, L.9, etc.), "219" (P.8, L.2, 3, etc.), "403" (P.10, L.20), "219" (P.11, L.17, etc.), "41" (P.16, L.18), "103" (P.18, L.32), "T1" (P.30, L.8, etc.), "T2, T3, T4, T5" (P.30, L.14, etc.), "S13.1" (P.31, L.11, etc.), "S13.2" (P.31, L.17), "2806" (P.57, L.12).
  - c. They fail to comply with 37 CFR 1.437 and PCT Rule 11.13(l) because they include the following reference character(s) not mentioned in the description: "619" (Fig.6), "621" (Fig.6), "1319" (Fig.13), "1321" (Fig.13), "2001" (Fig.20), "2003"

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(Fig.20), “2005” (Fig.20), “2007” (two locations Fig.20), “600” (Fig.20), “2316” (Fig.23A), “Hugin API (JNI)” (Fig.25), “S29.3” (Fig.29).

d. They fail to comply with 37 CFR 1.437 and PCT Rule 11.13(a) because the grayed colorings (within the graph area, not including the signal in Fig.26) is improper, does not aid in understanding the invention, and reduces legibility.

e. They fail to comply with 37 CFR 1.437 and PCT Rule 11.13(m) because the lead line for reference character 601 (Fig.6) does not depict the window for preferred start time for the diary entry.

f. Figure 14 shows separate views in the same figure. They should be labeled separately pursuant to 37 CFR 1.437 and PCT Rule 11.13(k).

g. The fail to comply with 37 CFR 1.437 and PCT Rule 11.11(a) because they contain text matter, e.g., legends, at the bottom of Fig.18 and at the top of Fig. 19 and 29.

The text matter is not necessary to understand the invention. Moreover, the Fig. 18

legend is confusing as to whether the text matter is part of the invention insofar as there is an arrow at the bottom of the figure that points to the text matter.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

*Specification*

6. The title of the invention is not precise. A new title is required that is clearly indicative of the invention to which the claims are directed. Namely, the title should also include reference to the method for allocating time for an event.
7. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
8. The disclosure is objected to because of the following informalities:
  - a. Page 10, line 7, reference is made to "patent application WO99/05597 (described above)" however there is no prior reference to the patent application.
  - b. According to the brief description of drawings, Fig. 3 is a first embodiment, and Fig. 5 is a second embodiment. The elements depicted in the figures are identical notwithstanding the box at the bottom of the figures. The box (no reference character) at the bottom of Fig. 3 is "other agents/user" and the box (no reference character) at the bottom of Fig. 5 is "other agents/user e.g. diary assistant." However the description of Fig. 3 indicates that element 313 "replicates the information stored by the diary assistant 211" (P.11, L.19). The description of Fig. 5 indicates that element 313 functionality is "provided by diary assistant 211" (P.14, L.27-28). Thus it is unclear from the disclosure how the embodiments of Fig. 3 and Fig. 5 differ.

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- c. Page 14, lines 11-12, reference is made to “Zeus Open Messaging Architecture (detailed in footnote 1).” However, the application papers do not contain a footnote 1.
- d. P.51, L.3, the examiner recommends that for processing communications be inserted after “first embodiment” for clarity.
- e. P.51, L.22, figure number 23 should be 23a.
- f. P.54, L.15, the interface set to “filter emails” appears to be misplaced because the procedure is for assigning and updating priority status to a phone call.

Appropriate correction is required.

#### *Claim Objections*

- 9. Claims 14, 18, 19, 24 and 26 are objected to because of the following informalities:
  - a. Claim 14 recites, “in respect at least one” which appears to be grammatically incorrect. The claim has been treated as “in respect of at least one.”
  - b. Claim 18, line 6, “and; and” is confusing.
  - c. Claim 19, line 7, unassigned should be inserted before “periods” to distinguish the periods from the “time” periods recited in antecedent.
  - d. Claim 24 does not end with a “.” (period).
  - e. Claim 26 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The test for a proper dependent claim is whether the dependent claim includes every limitation of the parent

claim. A proper dependent claim shall not conceivably be infringed by anything that would not also infringe the basic claim. In the present application, the computer program claim depends upon a method claim. The computer program (product made) can be infringed without infringing the method (process performed) recited in claim 14 (basic parent claim). Thus, claim 14 is an improper attempt to change category of invention from process to product. The claim has been treated as a product claim, i.e., computer program *per se*.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 14-22 and 26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to nonstatutory subject matter.

#### ***Claims 14-22***

A computer-related process claim is statutory if it falls within one or both of the specific safe harbor categories of post-computer or pre-computer activity.

Post-Computer Activity: A claimed process is clearly statutory if it results in a physical transformation outside the computer, i.e., post-computer process steps that result in a physical transformation beyond merely conveying the direct result of the computer operation. In the present application, the claimed process results in identifying an available time for an event that satisfies information corresponding to at least one previously allocated event and information for a processable event. There is no claimed



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activity or physical transformation beyond the bounds of a computer, even if computer implementation were claimed in the process.

Pre-computer activity: A claimed process is clearly statutory if it requires the measurement of physical objects or activities external to the computer and transformation of the signals corresponding to the measurement of the physical objects or activities, i.e., pre-computer process steps. In the present application, there is no process step that measures physical objects or activities, but rather inputting a fuzzy logic statement.

A computer-related process claim that does not fall within one or both of the specific safe harbor categories of post-computer or pre-computer activity may be statutory if it is limited to a practical application within the technological arts.

Practical Application: A practical application is one that produces a useful, concrete, and tangible result. In the present application, the process of claims 14-16 results in a review of temporal preference information “in order to” identify an available time. When performed, the process ends upon reviewing preferences but does not claim any result, such as “allocating time” (recited in the preamble) or scheduling the processable event. Claims 17, 19-22, however, recite a result that is useful, concrete, and tangible insofar as the event start time and duration are allocated such that preference satisfactions are maximized for all events. Claim 18 however, recites a result that is useful, concrete, and tangible insofar as the events are organized and each event’s start time and duration are allocated.

Technological Arts: For a process to be within the technological arts, it must do more than solve mathematical problems or manipulate abstract ideas or concepts that are

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nonstatutory. If the step(s) of the claimed process manipulate only numbers, abstract concepts or ideas, or signals representative thereof, then the process does not manipulate appropriate subject matter. In the present application, a human being can perform the process steps as recited in claims 14-22 using paper and pencil, without applying, involving, using, or advancing technology.

Therefore, claims 14-22 are directed to nonstatutory subject matter.

*Claim 26*

The preamble of claim 26 recites, a computer program comprising a set of instructions to cause a computer to perform the method according to claim 14. There is no structure recited in the claim, only a set of instructions. One reasonable interpretation of the claim is that it recites a computer program *per se*. A computer program *per se* does not define any structural and functional interrelationships that permit the computer program's functionality to be realized.

Therefore, claim 26 is directed to nonstatutory subject matter.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 13-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Regarding claims 13 and 22, the recitation "both or either of" has been interpreted to mean at least one of. However, the body of the claim then recites "and/or" as a

separator between the subparagraphs thereby rendering the claim indefinite as to the metes and bounds of patent protection sought. The claim is unclear as to whether the second subparagraph is included because the “and/or” connector may include an embodiment where the second subparagraph is not included at all and thus the previously recited “both or either of” is no longer clear. The problem may be resolved by changing “and/or” to and, so that the both or either of can be interpreted as one of the three possibilities: (i), (ii), or (i) and (ii).

b. Regarding claim 14, the recitation of “event” at step (iii)(a) is indefinite because it has not been related to or distinguished from the “at least one previously allocated event” and “processable event” recited in antecedent.

c. Further regarding claims 14-16, they are incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: allocating time with respect to an event, as set forth in the preamble of the claims. In other words, the preamble is not commensurate with the body of the claim that falls short of allocating time to a processable event. The claim merely reviews the previously allocated event information together with the processable event information, but does not include the essential step of allocating time.

d. Claim 15, “the temporal preference information” is unclear because “temporal preference information associated with the event identifying data,” “temporal preference information associated with the processable event,” and “temporal preference information corresponding to the at least one previously allocated event” are all recited in antecedent.

e. Claim 15, line 3, “an event” must be related to or distinguished from the “at least one previously allocated event” and the “processable event” recited in antecedent.

f. Claim 17, step (v)(a) recites the limitation “the stored events.” There is insufficient antecedent basis for this limitation in the claim. Claims 17 and 18 recite, “removing all of the stored events” however, the claims do not provide clear antecedent basis for “the stored events.” The claim is not clear as to whether applicant is removing the event data stored in step (iii)(a) or removing the at least one previously allocated event recited in the preamble of claim 14.

g. Claim 17, step (v)(b) recites allocating duration. However, claim 15 recites time periods. It is unclear whether the time periods and durations are the same or different feature.

h. Claim 17, step (v)(d) “existing events” lacks clear antecedent basis because “at least one previously allocated event,” “processable event,” and “stored event” are recited in antecedent.

i. Claim 18, step (v)(a) and (b) recites the limitation “the stored events.” There is insufficient antecedent basis for this limitation in the claim. Claims 17 and 18 recite, “removing all of the stored events” however, the claims do not provide clear antecedent basis for “the stored events.” The claim is not clear as to whether applicant is removing the event data stored in step (iii)(a) or removing the at least one previously allocated event recited in the preamble of claim 14.

j. Claim 19, line 3, recites “duration” however, “time periods” is recited in antecedent at claim 15 and “duration” is recited at claim 17. Due to the seemingly inconsistent terminology, the claim is rendered indefinite.

k. Claim 19 recites steps (v)(a)-(c) however claim 17 recites steps (v)(a)-(e) in antecedent. The claim is unclear as to whether steps (a)-(c) in claim 19 are performed in addition to the steps (a)-(e) recited in claim 17 or if applicant is improperly attempting to delete the steps (a)-(e) of claim 17 and substitute the steps (a)-(c) of claim 19 therefore.

l. Claim 19, step (v)(a) are unclear because it recites “events” and “event” which have not been related to or distinguished from the “at least one previously allocated event,” “processable event,” “stored event,” and “existing event” each of which is recited in antecedent.

m. Regarding claim 20, step (a) “the first temporal” schedule lacks clear antecedent basis in claims 20, 17, 15, 14 upon which it depends.

n. Claim 20, step (b) the recitation “the temporal schedule” is indefinite insofar as the “first temporal schedule” and “further temporal schedule” are recited in antecedent. Also, the claim is confusing as to the feature(s) claimed in step (b). The method includes sending a first time period from the first schedule to a further schedule, then the schedule receiving a second time period (processed to account for stored preference information) from the further schedule. These steps are not clear as to the processed second time period and how it relates to the first time period that is sent to the further temporal schedule. The claim terminology must be consistent throughout and features of the claims related to or distinguished from each other in order to avoid any indefiniteness.

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- o. Claim 20, step (c) does not provide clear antecedent basis for the term “both temporal preference information” since stored temporal preference information, temporal preference information associated with the processable event, and temporal preference information corresponding to the at least one previously allocated event are all recited in antecedent.
- p. Claim 22, “temporal preference statement” does not have clear antecedent basis in that “fuzzy logic statement” and “temporal preference information” are recited in antecedent. Consistent terminology must be used throughout the claims.
- q. Claim 22, the limitation(s) are not related to any previously recited step, however, claim 14 recites inputting fuzzy logic statement; and storing event data and temporal preferences associated with the event data. The claim is not clear whether the “entered” limitation is intended to be a further step of “entering” or whether it is somehow further limiting the steps of inputting and storing recited in claim 14. If the claim is further limiting the inputting step, then the inputting step only includes inputting the fuzzy logic statement, not processable event and temporal preference statement.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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12. Claims 1-16, 23, 24, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Koreeda (cited by applicant, US-5781731).

Regarding claim 1, Koreeda discloses apparatus for identifying a time, comprising input means (300) for receiving event data (conference condition setting means for inputting scheduling conditions of a conference c.4, 1.35-37; interface agent 820a; step 410) and for receiving a fuzzy logic statement associated with the event (Fig.6, fuzzy expression date and time 956, 955, type 959a-e); means for storing the event data and preference information associated with the event (implicit in the Koreeda reference because information is input and manipulated, thus it must be stored in some fashion within the apparatus); processing means (c.10, 1.34 to c.11, 1.4, conference sponsor agent 830a, schedule management agents 840a, 840b, personal agents 800a, b) for applying a function to convert the fuzzy logic statement into temporal information and reviewing the temporal information with the temporal information of a previously allocated event.

Regarding claim 2, Koreeda discloses a preferred start time (AM/PM for example).

Regarding claim 3, Koreeda discloses preference values (968).

Regarding claim 4, Koreeda discloses a period in a single day (Fig.6 example showing 8:30am to 2:00pm).

Regarding claim 5, Koreeda discloses monitoring means for monitoring the temporal schedule and alerting means for outputting an alert signal if there is a scheduling conflict (c.10, 1.43-57 conference sponsor agent 830a receives the information from the schedule management agents 840a,b and if the event is not accommodated, a partial change of conditions may be made).

Regarding claim 6-8, Koreeda discloses more than one event to be identified (Fig.6, conference name(s) 951. Koreeda further discloses constraints between events, times for each event, and at least two events for one processable event (Fig.6, information entered for each conference includes room as well as attendee availability events).

Regarding claim 9, as noted above storage means is implicit in the Koreeda reference because information, including the constraint information, is input and manipulated, thus it must be stored in some fashion within the apparatus.

Regarding claim 11, the Koreeda conference is a type of meeting.

Regarding claim 12, Koreeda discloses use of a plurality of apparatus (note c.4, l.10-18)

Regarding claim 13, Koreeda discloses a graphical user interface (300) for entering information via a keyboard (320).

Regarding claim 23-24, Koreeda discloses a plurality of intelligent autonomous systems including a diary assistant (company agent sends schedule information regarding holidays and events to the plurality of schedule management agents c.8, l.40-60). This rejection is made whereby the limitation “at least some of” can include more than one of any of the listed assistants, including more than one of the same kind of assistant.

Regarding claims 14-16, Koreeda discloses a method wherein the process steps of identifying, inputting, storing, converting, and reviewing are performed, as applied to the rejection of claim 1 above. As to the plurality of time periods or start times, Fig.6 depicts a selection among various time periods and various start times. The fuzzy logic is applied based on which of the temporal preferences is selected.



Regarding claim 26, Koreeda implicitly contains a computer program having instructions to perform the method as recited in claim 1.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koreeda (US-5781731) in view of Applicant Admission (prior art at p.23, l.18 to p.25, l.12).

Regarding claim 17 and 18, Applicant Admission teaches removing events (S10.1), allocating start time and duration (S10.2), and repeating steps until preferences are maximized (backtracking p.24, l.5-9); and, organizing events and allocating start time and duration (S10.1 - S10.3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Koreeda to include allocating start time and duration of processable events by maximizing preferences, such as taught by Applicant Admission, in order to ensure that events are scheduled according to their constraints.

Regarding claim 19, Koreeda discloses notifying the user as to the scheduled events or failure to schedule events. Koreeda lacks Applicant Admission teaches identifying unassigned time periods (S10.2), comparing the duration with processable event durations (S10.3).

Regarding claims 20-22, Koreeda discloses using a keyboard (320) for entering information/data. Koreeda further discloses time periods including hours. Koreeda discloses sending time (conference sponsor inquires schedule management agents using input values Fig.6), receiving time (schedule management agents 840a, b receive the inquires), and combining time to allocate time to meeting (conference schedule confirmation is sent when the time and duration preferences are met, confirmation step 470).

14. Claim 24 is also rejected under 35 U.S.C. 103(a) as being unpatentable over Koreeda (US-5781731) in view of Barr (US-5182705).

If the limitation "at least some of" is interpreted to mean more than one of the listed assistants, then the following rejection applies. Barr discloses an autonomous system including a diary assistant (c.4, 1.28-59) in combination with an email assistant (c.7, 1.41-66) to allow a user to access email correspondence and an electronic diary at the same time to coordinate appointments.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Koreeda to include an email assistant, such as suggested by the combination diary and email assistant of Barr, in order to access both the diary entries and email correspondence of a user so that appointments can be coordinated using both email and an electronic diary.

15. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koreeda (US-5781731) alone, and Koreeda (US-5781731) in combination with Barr (US-5182705), as applied to claim 24 above, and further in view of Hutchinson (US-4836670).

Hutchinson teaches using means responsive to input signal indicative of a state of mind of a user (the gaze of a user determines input signal for a user, see entire document) in order to accommodate a user who lacks physical capability to manually enter data via a keyboard or mouse.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Koreeda and Barr combination to include means responsive to an input signal indicative of a state of mind of a user, as taught by Hutchinson, in order for the method of the Koreeda and Barr combination to be performed by a person lacking the physical capability for manual data entry.

### ***Conclusion***

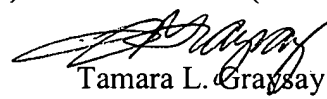
16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara L. Graysay whose telephone number is (703) 305-1918. The examiner can normally be reached on Mon - Fri from 8:30am to 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Tamara L. Graysay  
Examiner  
Art Unit 3623

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